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SPECIAL TOWN MEETING
November 2 & 3, 1994

The meeting was televised by Amherst Community Television.

The Special Town Meeting was called to order by the Moderator, Harrison Gregg, at 7:40 p.m. 160 checked in and a quorum was declared. The call and return of the warrant were read by Town Clerk Cornelia D. Como. Peter Kitchell, Ann Grose, Nonny Burack, Robert Ackermann, DeAnne Riddle and Harry Brooks were sworn as tellers. The Moderator recognized Mr. Howard Barnes for his years of volunteer service to ACTV.

ARTICLE 1. Voted that the Town hear only those reports of the Town officers, Finance Committee, and any other Town boards or committees which are not available in written form.

Action taken on 11/2/94.

ARTICLE 2. Voted unanimously that the Town appropriate and transfer \$607.50 from Free Cash in the Unreserved Fund Balance of the General Fund to pay unpaid bills of previous fiscal years.

Action taken on 11/2/94.

ARTICLE 3. Voted unanimously that the Town accept the provisions of Chapter 44, section 53F of the Massachusetts General Laws, which authorize the Treasurer to enter into written agreements with banking institutions pursuant to which the Treasurer agrees to maintain funds on deposit in exchange for banking services.

Action taken on 11/2/94.

ARTICLE 4. Voted to dismiss. - Local Education Fund (M.G.L. Ch. 60, sec. 3C)

Action taken on 11/2/94.

Article 5. Voted YES 148, NO 23 that the Town authorize the Select Board to petition the General Court for a Special Act allowing the Town to exempt up to the first \$100,000 of assessed personal property valuation from taxation.

Action taken on 11/2/94.

ARTICLE 6. Voted YES 145, NO 13 that the Town authorize the Select Board to petition the General Court for a Special Act authorizing the Amherst Economic Development and Industrial Corporation, substantially as contained in the 10/24/94 draft of "An Act Authorizing The Amherst Economic Development and Industrial Corporation."

Action taken on 11/2/94.

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10:05 p.m. The meeting voted to adjourn to Thursday, November 3, 1994 at 7:30 p.m. in the Auditorium of the Amherst Regional Junior High School. 192 town meeting members were checked in.

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The adjourned session of Thursday, November 3, 1994 was called to order by the Moderator at 7:40 p.m. 124 town meeting members were checked in.

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ARTICLE 7. Voted unanimously to dismiss. - Special Services - Elderly and Handicapped

Action taken on 11/3/94.

ARTICLE 8. Voted YES 134, NO 10 that the Town appropriate \$85,000 from the Stabilization Fund for window repair, architectural fees and related expenses as follows: \$50,000 for window repair contingent upon receipt of a matching grant for such purpose; \$10,000 for architectural services and other expenses related to such window repair; \$25,000 for architectural services and related expenses for additional design work on the Town Hall renovation plans.

Action taken on 11/3/94.

ARTICLE 9. Voted unanimously that the Town appropriate \$479,000 for the purchase and installation of a gravity belt thickener at the Wastewater Treatment Plant and that to meet such appropriation the Treasurer, with the approval of the Select Board, be authorized to borrow \$479,000 under Ch. 44, sec 7(1), of the Massachusetts General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor.

Action taken on 11/3/94.

ARTICLE 10. Voted unanimously that the Town appropriate \$120,000 for energy conservation measures at the Wastewater Treatment Plant and that to meet such appropriation \$120,000 be transferred from Sewer Fund Surplus.

Action taken on 11/3/94.

ARTICLE 11. Voted unanimously that the Town establish as Town Ways and accept the layouts as Town Ways each of the following streets: Oakwood Circle, Blackberry Lane, and Teawaddle Lane - or any of them, or portions thereof, with adjacent easements, as laid out by the Board of Selectmen, to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor, no appropriation being required.

1. **BLACKBERRY LANE:** a strip of land 49.21 feet wide running Easterly from the East end of Blackberry Lane (a 1987 town way) about 200 feet to the center of a cul-de-sac, being a street and two drainage easements shown on a plan titled "Eastwood" Phase-G dated April 13, 1989 and recorded at the Hampshire County Registry of Deeds in Plan Book 162 Page 33.
2. **OAKWOOD CIRCLE:** a strip of land forty feet in width running Easterly from a flared end at Rolling Ridge Road (a 1968 town way) about 483 feet to a cul-de-sac, being shown as "Oakwood Street" on plans recorded at the said Registry in Plan Book 65 Pages 10 and 13.

3. **TEAWADDLE LANE:** a strip of land fifty feet in width running Northerly from a flared end at Rolling Ridge Road (a 1968 town way) about 420 feet to land n/f Leon A. Barkowski, being a street shown as "Apple Lane" on a plan recorded at said Registry in Plan Book 65 Page 10 and a street and one Temporary Easement on Lot 59 as shown on an Amended Plan dated June 12, 1972 and recorded at the said Registry in Plan Book 82 Page 86. Said Temporary Easement will cease to exist if and when Teawaddle Lane is extended to the North and accepted as a public way.

Action taken on 11/3/94.

ARTICLE 12. Voted unanimously that the Town amend Section 3.3, Use Classifications & Standards, Section 7.001, and Article 12, Definitions, of the Zoning Bylaw by deleting language in brackets [] and adding shaded language __, as follows:

A. Add a new Section 3.327.2:

3.327.2 <u>Hostel</u>												
<u>R-LD</u>												
R-O	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	COM	OP	LI	PRP	FPC
SP	SP	SP	SP	SP	SPR	SP	SP	SPR	N	N	N	N

The building shall be connected with the public sewer prior to occupancy.

The hostel shall be within easy walking distance of public transportation.

The owner or manager of the hostel shall reside on the premises.

There shall be no separate cooking facilities in guest rooms. Meals may be provided to those lodging at the hostel or registered guests attending a scheduled event.

In the R-G, R-N, R-O and R-LD Districts, a hostel may provide up to 20 beds. In all districts where the use is allowed, a minimum of 20 percent of hostel beds shall be in rooms containing 2-4 beds.

Secure bicycle parking and/or storage shall be provided, with a total capacity equal to or exceeding the number of parking spaces required for vehicles.

A management plan, as defined in terms of form and content in the Rules and Regulations adopted by the Zoning Board of Appeals, shall be part of any application made under this section.

B. Amend Section 7.001 as follows:

7.001 For all other places with sleeping accommodations, including rooming houses, lodging or boarding houses, fraternity and sorority buildings, hotels, motels, inns, bed and breakfasts, hospitals and nursing homes - one parking space for single or double occupancy; or, where not divided into such rooms (as in a dormitory or ward) - one space for [each] every two beds. For hostels, one parking space shall be provided for every five (5) beds.

C.Amend Article 12, Definitions, by adding the following section and renumbering the remaining sections in order:

12.16 Hostel: An overnight lodging facility licensed by a recognized national or international hostelling organization, offering temporary lodging to members of such organizations and other travelers, as well as educational programs and other goods and services related to hostelling. Lodging for non-members shall not exceed fourteen (14) days in any four (4) month period, with a limit of no more than seven (7) consecutive days. Lodging for members shall not exceed thirty (30) days in any four (4) month period, with a limit of no more than fourteen (14) consecutive days.

ARTICLE 13. Voted YES 133, NO 1 that the Town amend Section 3.372.0 of the Zoning Bylaw by deleting the language in brackets [] and adding the language shaded _ as follows:

In all zones, [All operations shall confine smoke, fumes, dust and noise to the premises.] all outdoor storage of materials and equipment shall be screened from public view, from public ways and abutting residential districts. No operation shall create noise, vibration, dust, fumes or odors that are a nuisance beyond the lot line, and further, no operations shall be hazardous by reasons of potential fire, explosion or radiation. No research or testing to be conducted outdoors unless a Special Permit is granted for this purpose by the Zoning Board of Appeals.

Action taken on 11/3/94.

ARTICLE 14. Voted unanimously that the Town amend Section 6.33 by adding the shaded language, as follows:

6.33 Each lot shall have an access strip with a minimum street frontage of forty feet, a minimum width of forty feet at any point between the street and the principal building, and a maximum length of four hundred feet, after which distance the access strip shall end and the building area of the lot shall begin. Where driveway access to a principal building is achieved over the access strip of the lot, then said access strip shall have no change of direction greater than 45 degrees.

For any flag lot included within a Definitive Subdivision Plan, the Planning Board may allow an access strip in excess of 400 feet as part of its subdivision approval upon a finding that such a modification will be in conformance with the intent of Sections 6.330-6.335.

For any flag lot which is not part of a Definitive Subdivision Plan, the Zoning Board of Appeals, acting as the Special Permit Granting Authority, may allow an access strip in excess of 400 feet upon a finding that such a modification will:

6.330. Not have a substantial detrimental impact on the declared intent and purposes of any overlay district in which the land is situated.

6.331. Not create an undue safety hazard.

6.332. Not have a substantial adverse environmental impact on groundwater quality, wetlands, significant wildlife habitat, prime farmland or other environmentally sensitive resources.

6.333. Not remove, destroy or obstruct prominent natural features and views.

6.335. Not remove, destroy or irrevocably alter significant historical, archeological and/or cultural resources.

Action taken on 11/3/94.

ARTICLE 15. DEFEATED. Zoning Map Amendment Portion of Parcel 31, Map 15C
Action taken on 11/3/94.

ARTICLE 16. DEFEATED. YES 56, NO 69
Zoning Map Amendment - 1184 North Pleasant Street (Map 5A, Parcel 140)
Action taken on 11/3/94.

The business of the warrant having been completed, the meeting voted to dissolve at 10:45 p.m. 161 town meeting members were checked in.

Attest:

Cornelia D. Como
Town Clerk